

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
September 13, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:44 a.m.

Opening Ceremony: Marvin Mulholland

Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Treasurer Councilor Bott, Councilor Belinda Bardwell, Councilor John Bott, Councilor Aaron Otto, Councilor Marvin Mulholland, Councilor Rita Shananaquet

Absent: Councilor Melvin L. Kiogima

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, Interim Chief Financial Officer Cheryl Kishigo-Lesky, Gaming Board of Directors: Sheri Patton, Dolly Keway, Fred Kiogima, Judy Pierzynowski, Chairperson Carol McFall and Office Manager Cathy Portman, Casino: Property Operations Barry Laughlin, Director of Finance Scott Cannady, Office of Enterprise Management Chuck Schofield

Guests: Sarah VandeCar, Rose Smalley, Annette VandeCar, Virginia Lewis, Marcia Sutton, Collin Sutton, John Kawegoma, Susan Goddard, Cathy Portman, Alice Yellowbank, Diane Naganashe, Judy Field, Christine Shomin, Melissa Shomin, Marilyn Hume, Pat Denemy, Dakota Shananaquet, Cathy Shomin, Francis Holdorff, Katherine King, Frank King, Lila Bertrum, Henry Rowland,

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to adopt the agenda with additions.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Kiogima)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor R. Shananaquet to approve the minutes of August 23, 2009 with corrections.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Kiogima)

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to approve the minutes of September 12, 2009 with correction.

Vote: 8 - Yes, 0 - No, 1 - Abstained (Councilor Kiogima), 0 - Absent

1 Motion carried.

2
3 Elders Comments: Rose Smalley spoke regarding the Tribal Chairman practices.
4 Sarah VandeCar spoke regarding the Tribal Chairman practices. Judy Field
5 spoke regarding Treasurer Bott and the Casino relationship, the Tribal Chairman
6 Harrington responsibilities and appreciation of Councilor Chingwa's positive
7 efforts. Alice Yellowbank spoke regarding Tribal Council reading legislation prior
8 to passing it, and the Bond Work group appointments. Susan Goddard spoke
9 regarding Indian Preference in Employment. Judy Field spoke regarding the
10 Tribal Chairman forensic audit proposal, the Tribal Chairman's concerns with the
11 Gaming Board of Directors and the Casino's ABEL program, and Casino
12 Unemployment benefits.

13
14 10:50 a.m. Recess called.

15 11:05 a.m. Meeting resumed.

16
17 Motion made by Secretary Gasco Bentley and supported by Councilor Otto to
18 accept Legislative Leader Shananaquet's report with confidential items contained
19 therein.

20 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

21 Motion carried.

22
23 11:36 a.m. Public Comment opened: Judy Field complimented Tribal Council on
24 this morning's session, and employee health insurance contributions. John
25 Kawegoma spoke regarding posting of minutes, conflicts of interest with the
26 former Tribal Council, Constitutional reform convention, Tribal Council
27 volunteering additional time, the Tribal government budget, and the Odawa Trails
28 publication dates. Chris Shomin spoke regarding Indian Preference in
29 Employment, and the election process. Judy Pierzynowski spoke regarding
30 election process changes, forensic audits, and the Bonds. Sue Goddard
31 explained what a forensic audit is. Cathy Shomin spoke regarding Casino
32 Regulatory Department mentorship program, Tribal Social Services, and the
33 Indian Child Welfare Act. Michele LaCount spoke regarding the Indian Child
34 Welfare Protection Act and revision to Waganakising Odawak Statute 2009-004
35 Child Protection, Dakota Shananaquet spoke regarding the Social Service
36 Department and the Tribal Court.

37 12:35 p.m. Public Comment closed.

38
39 12:38 p.m. Motion made by Secretary Gasco Bentley and supported by Councilor
40 R. Shananaquet to go into closed session for Confidential Business Matters.

41 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

42 Motion carried.

43
44 1:46 p.m. Treasurer Chingwa left the meeting.

45
46 1:47 p.m. Motion made by Councilor R. Shananaquet and supported by
47 Councilor Mulholland to return to open session.

48 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Treasurer Chingwa)

1 Motion carried.

2 Motion carried.

3
4 3:20 p.m. Meeting reconvened. Treasurer Chingwa arrived.

5
6 3:21 p.m. Public comment opened: no comments.

7 3:31 p.m. Public comment closed.

8
9 Motion made by Councilor R. Shananaquet and supported by Councilor Otto to
10 accept Treasurer Bott's verbal and written report for September 13, 2009.

11 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

12 Motion carried.

13
14 Motion made by Treasurer Chingwa and supported by Councilor Otto to accept
15 Tribal Council Member Chingwa's verbal and written report for September 13,
16 2009.

17 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

18 Motion carried.

19
20 Motion made by Treasurer Chingwa to adopt Tribal Resolution: To Amend and
21 Replace Tribal Resolution #071209-08 Regarding Tribal Government Budget
22 Revision for Fiscal Year 2009.

23 Motion dies due to lack of support.

24
25 Motion made by Treasurer Bott and supported by Councilor Otto to accept
26 Council R. Shananaquet's Tribal Council Member verbal and written report for
27 September 13, 2009.

28 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

29 Motion carried.

30
31 Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to
32 accept Councilor Kiogima's Tribal Council Member verbal and written report for
33 September 13, 2009.

34 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

35 Motion carried.

36
37 5:13 p.m. Recess called.

38 5:26 p.m. Meeting reconvened.

39
40 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
41 accept Councilor Otto's Tribal Council Member verbal report for September 13,
42 2009.

43 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

44 Motion carried.

1 Motion made by Councilor R. Shananaquet and supported by Councilor Otto to
2 accept Legislative Services Attorney Budnick's verbal report for September 13,
3 2009.

4 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

5 Motion carried.

6
7 Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley
8 to adopt Tribal Resolution: Approval for Grant Agreement Between the Michigan
9 Department of Community Health and the Little Traverse Bay Bands of Odawa
10 Indians - Public Health Preparedness and Response for Bioterrorism, 09-10.

11 Roll Call Vote: Councilor Bardwell-yes, Treasurer Chingwa-yes, Councilor
12 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent,
13 Councilor Otto-abstain, Treasurer Bott-yes, Secretary Gasco Bentley-yes,
14 Legislative Leader Julie Shananaquet-yes,

15 Motion carried.

16
17 Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa
18 to adopt Tribal Resolution Request for Funding from the United States
19 Department of the Interior, Bureau of Indian Affairs Water Resources Program
20 Funding Little Traverse Bay Bands of Odawa Indians Natural Resources
21 Department Maple River Management Project.

22 Roll Call Vote: Councilor Bardwell-yes, Treasurer Chingwa-yes, Councilor
23 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-absent,
24 Councilor Otto-yes, Treasurer Bott-yes, Secretary Gasco Bentley-yes, Legislative
25 Leader Julie Shananaquet-yes

26 Motion carried.

27
28 Motion made by Councilor Mulholland and supported by Councilor Bardwell to
29 appoint Councilor Kiogima to the Appropriations and Finance Committee.

30 Motion Withdrawn

31
32 Motion made by Secretary Gasco Bentley and supported by Treasurer Bott to
33 appoint Aaron Otto and Melvin L. Kiogima and to the Appropriations and Finance
34 Committee.

35 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

36 Motion carried.

37
38 Motion made by Legislative Leader Julie Shananaquet and supported by
39 Treasurer Bott to appoint Regina Gasco Bentley, Belinda Bardwell and Melvin L.
40 Kiogima to the Land and Reservation Committee.

41 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

42 Motion carried.

43
44 Motion made by Councilor R. Shananaquet and supported by Treasurer Bott to
45 place the Burial Grounds Draft Statute, Department of Education and Cultural
46 Learning Center Draft Statute and Civil Traffic Draft Statute on the Legislative
47 Calendar.

48 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

1 Motion carried.

2
3 Motion made by Legislative Leader Julie Shananaquet and supported by
4 Councilor Kiogima to authorize an "Executive/Legislative Team" to assist with the
5 negotiation of the forbearance agreement and the negotiation of the restructuring
6 on the note with the bondholders, provided that any action concerning the bonds
7 or restructuring of debt will be brought back to the Tribal Council by said team for
8 approval prior to the action taken. The Team shall consist of the Legislative
9 Leader, Treasurer, Secretary and Legislative Services Attorney, Tribal Chair and
10 the Tribal Council recommends the following Executive staff be designated by
11 the Executive to be members of the committee: CFO Kishigo Lesky, OCR
12 Director of Finance Cannady, General Counsel Bransky and any other
13 individuals designated by the Executive.

14 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

15 Motion carried.

16
17 Motion made by Councilor R. Shananaquet and supported by Councilor Otto to
18 table the closed session minutes from April 18, 1999 and March 5, 2006 to the
19 next Tribal Council agenda.

20 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

21 Motion carried.

22
23 6:50 p.m. Motion made by Treasurer Bott and supported by Councilor Otto to
24 adjourn.

25 Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

26 Motion carried.

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31 These Minutes have been read and approved as written (or) corrected: (delete
32 either the word "written" or "corrected" as pertains to how the minutes were
33 approved.)
34
35

36
37 _____
38 Regina Gasco Bentley, Tribal Council Secretary

Date